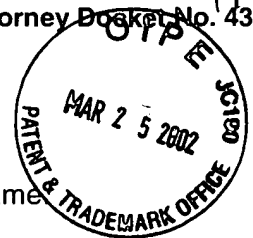


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MAR 25 2002  
PATENT & TRADEMARK OFFICE

## DECLARATION AND POWER OF ATTORNEY

Attorney Docket No. 430 # 3



As a below inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name

I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### METHOD AND SYSTEM FOR COORDINATING AND UTILIZING CHANNEL POWER INFORMATION IN AN OPTICAL COMMUNICATIONS NETWORK

the specification was filed as U.S. provisional application serial number 60/289,672, on May 9, 2001, and U.S. non-provisional application serial number 09/917,043, on July 27, 2001. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

#### PRIOR FOREIGN APPLICATION(S)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY (if PCT indicate PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
			<input type="checkbox"/> Yes <input type="checkbox"/> No

#### PRIOR UNITED STATES APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:


U.S. APPLICATIONS			STATUS (Check one)		
U.S. APPLICATION NUMBER	U.S. FILING DATE		PATENTED	PENDING	ABANDONED
PCT APPLICATIONS DESIGNATING THE U.S.					
PCT APPLICATION NUMBER	PCT FILING DATE	U.S. SERIAL NUMBER ASSIGNED (if any)			

I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: David L. Soltz, Reg. No. 34,731, Michael R. Cammarata, Reg. No. 39,491, Douglas Luftman, Reg. No. 43,762 and Henock Gessesse, Reg. No. 44,705. Please address all correspondence to:

CIENA Corporation  
Legal Department  
1201 Winterson Road  
Linthicum, MD 21090

Please direct telephone calls to (410) 865-8500.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF FIRST INVENTOR: James E. DeGrange, Jr.	INVENTOR'S SIGNATURE 	DATE Feb 1, 2002
RESIDENCE: 8104 Woodbine Court Glen Burnie MD 21061	POST OFFICE ADDRESS Same	COUNTRY OF CITIZENSHIP United States